

# Town of Cutler Bay

## Land Development Regulations

June 13, 2012

# Answering Your Questions In Detail

- Zoning
  - How Have We Changed From The County
- Sign Ordinance
  - What Signs Are Allowed and Not Allowed
- Parking of Trucks
  - What Can I Park At My House
- Special Events
  - Who Needs A Permit For A Party

# How to Use a Code

## The New Code

- May Look Intimidating
  - 15 Articles
  - 300 Pages
- Very Compartmentalized
- Individual Issues are Concise



- Purpose of the Code
  - One of the Benefits of Incorporation
  - Stem from Charrettes, Strategic Plan, Growth Management Plan
  - Gives The Citizens Control of How Things Are Done in the Town

# Overview

- This Is One of The Most Important Things A Council Will Do
- Dictates How Staff Will Work With Applicants
- Should Be Updated Occasionally

- This is Your Code
- It Can Do What You Want
- Be Careful Of Unintended Consequences





# This Is Why We Write A Code



# Article 1 General Provisions

- Purpose
- Intent

Non Conformities

New Code / New Vision

Change

Not Drastic

No Longer Fit Code

If Torn Down, Can't Be Rebuilt

The Same



# Article 2 Administrative Provisions

- Responsibilities
  - Council
  - LPA
  - Community Development Department



## Article 3 Application and Review and Approval

- How You Do What You Are Supposed To Do
- Process For Each Type of Review
  - 9 Types of Applications
- Staff Uses as a Guide
  - Planning Dept.
    - Zoning Workshop
  - LPA
  - Council
  - Building Dept.
  - Business Tax Receipt



## Article 4 Districts and Development Standards

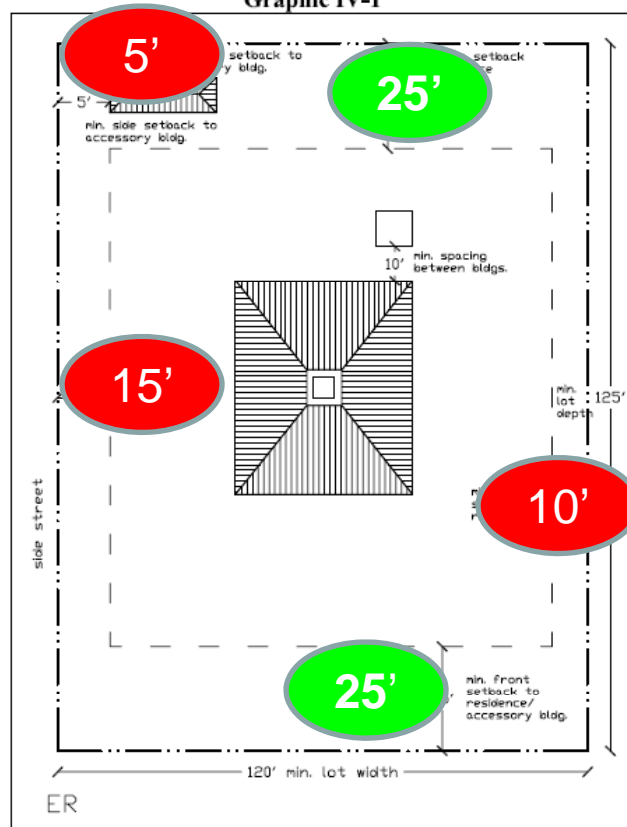
- **ZONING**
- Implements Land Use Element of GMP
- Governs How Something Sits on a Site
- Staff Rule Book
- Council Policies

## Article 4 Districts and Development Standards

- Each District
  - Minimum Lot Area (SF)
  - Maximum Density (DU/A or FAR)
  - Minimum Unit Size
  - Maximum Height
  - Setbacks
  - Minimum Spacing Between Buildings
  - Maximum Impervious Area
  - Minimum Lot Width
  - Open Space
  - Accessory Structures

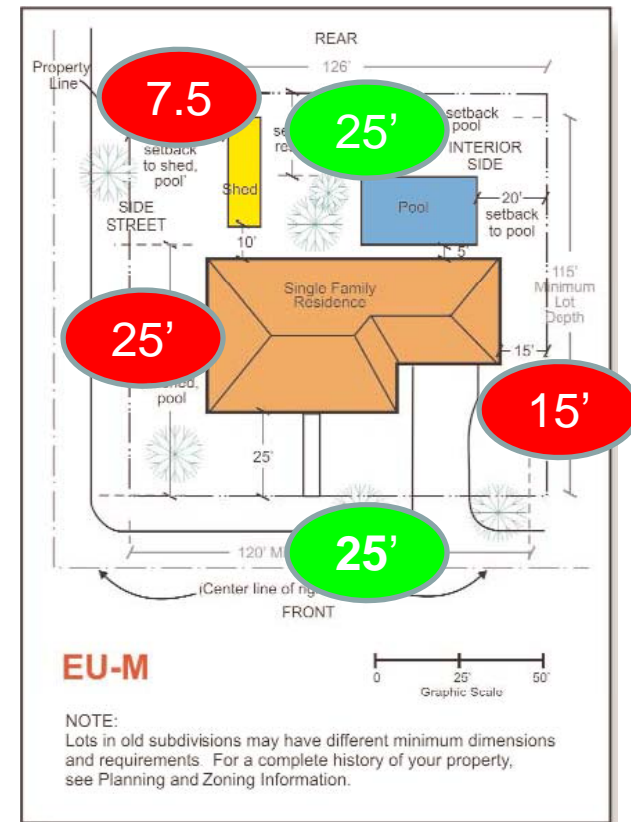
# What Has Changed

New  
Graphic IV-1



ER

Existing

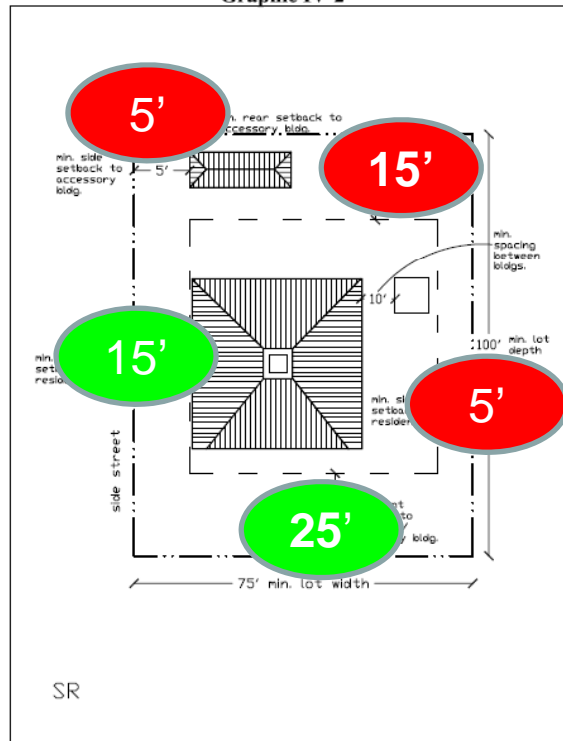


EU-M

# What Has Changed

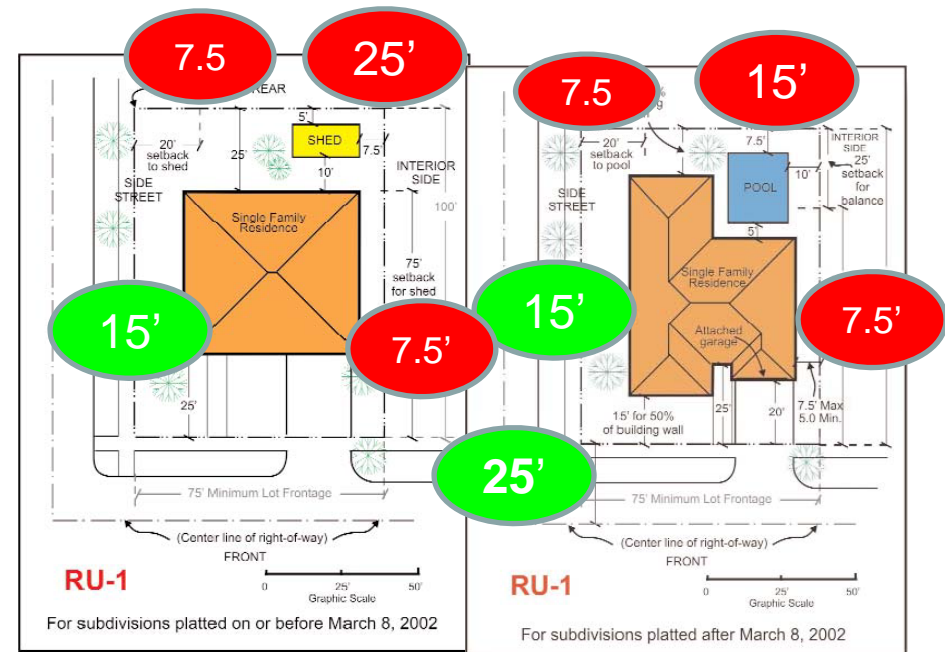
New

Graphic IV-2



SR

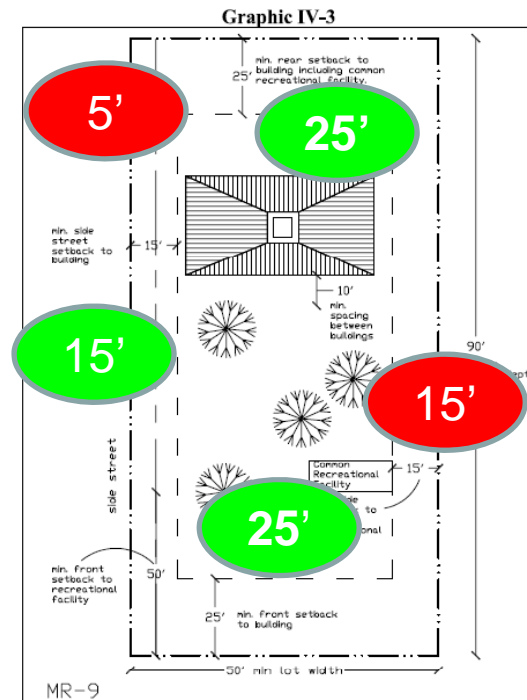
Existing



RU-1

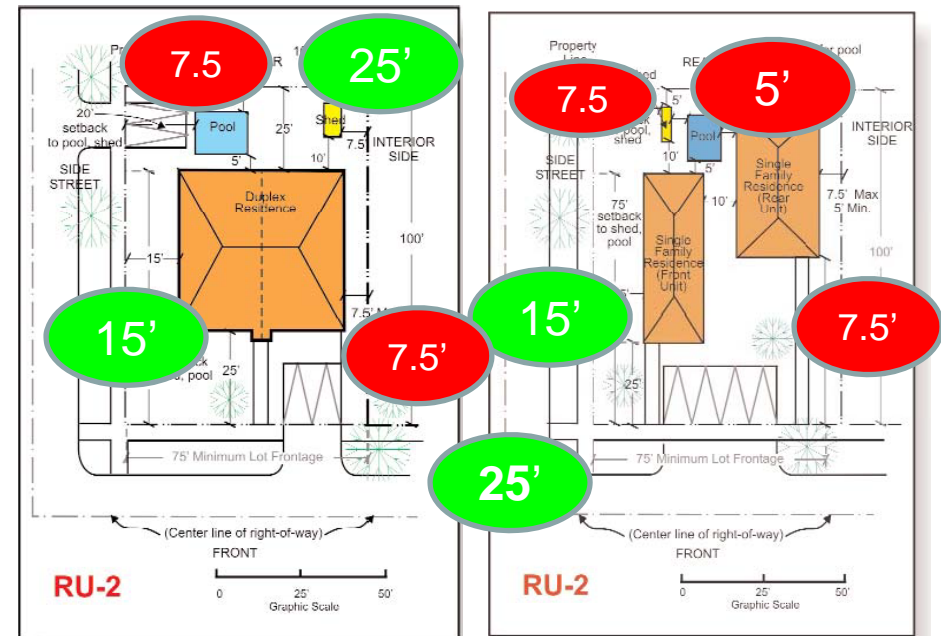
# What Has Changed

New



MR-9

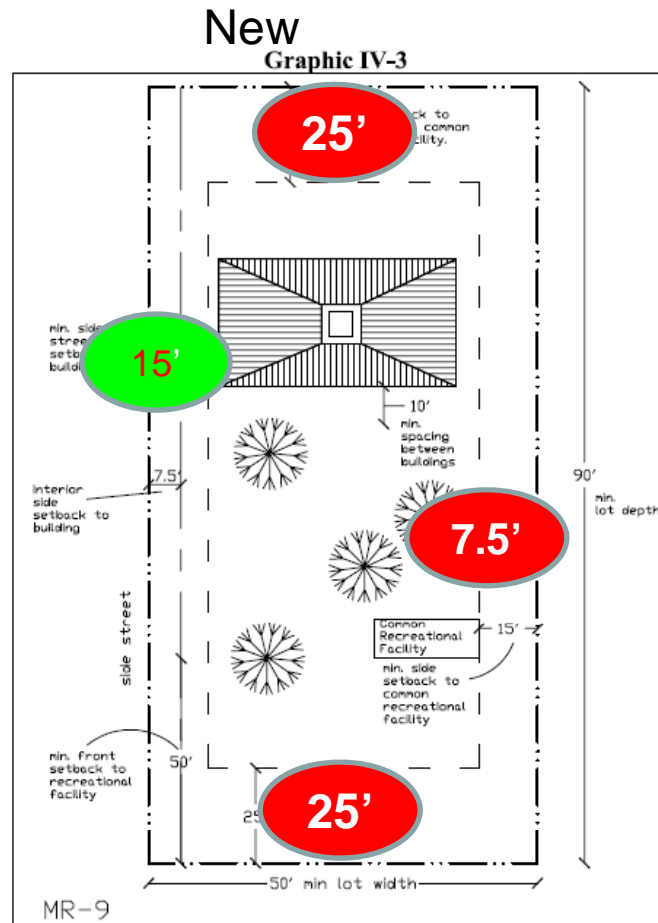
Existing



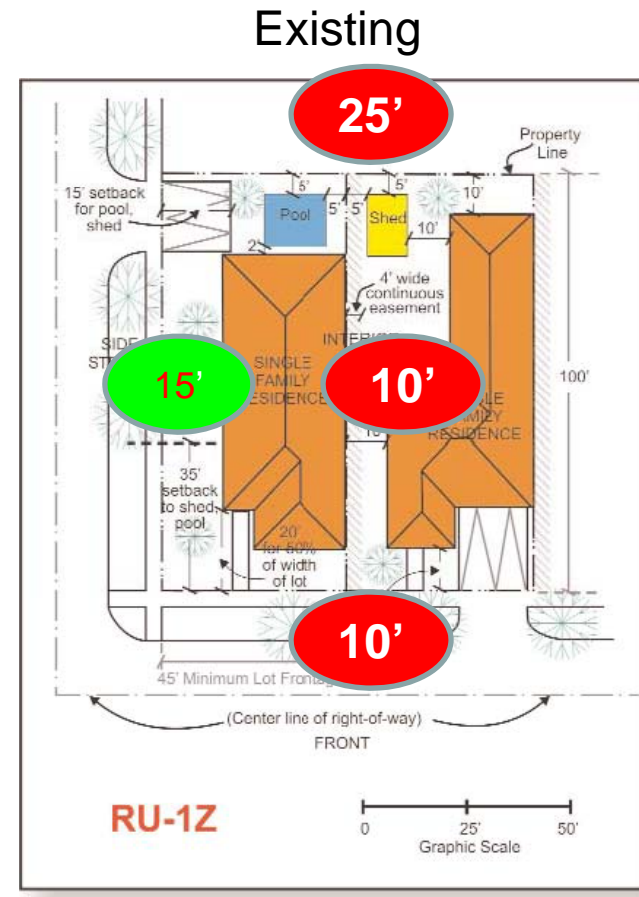
RU-2



# What Has Changed



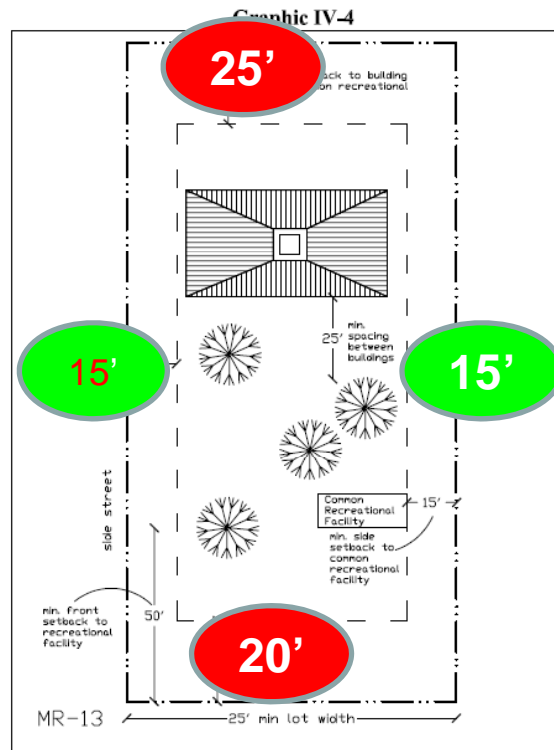
MR-9



RU-1Z

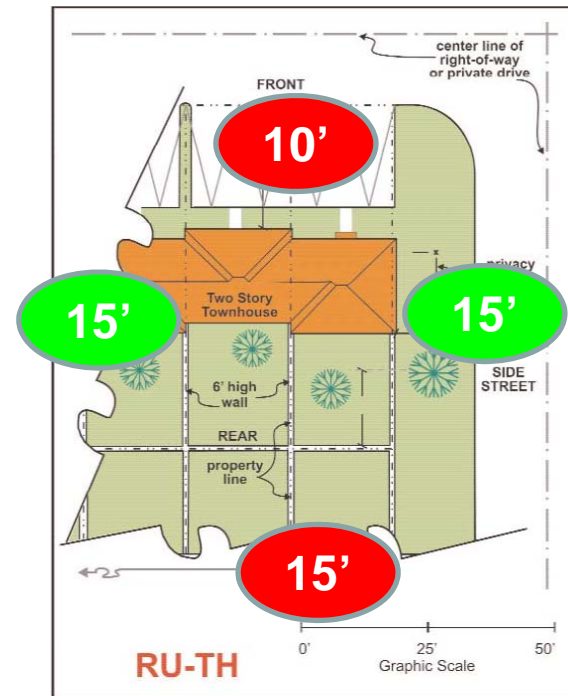
# What Has Changed

New



MR-13

Existing



RU-TH

# Article 5 Green Standards

- Above and Beyond the Rules of Development
- Focused on The Environment
- Standards
  - Bike Parking/Storage
  - Paving Material
  - Water Conservation
  - Recycling of Construction Waste
  - Green Building Fund

# Article 6 Architectural Form

- Already Approved
- Design Standards for Commercial Development
  - Balconies
  - Drive Through
  - First Floor Transparency
  - Mirrored Glass Prohibition
  - Sidewalks
  - Colors

## Article 7 Landscaping and Tree Standards

- County Maintains Authority Over Landscaping
- We Are Required to Use Chapter 3, We Can Add More
- County Dictates Species
- Must Have Irrigation
- Annual Inspections Required

# Article 8 Signs

- For Aesthetics and Safety
- Permitted/Prohibited
- Shows Commitment to Character
- Permits and Process

*Free Stuff*

# Purpose and Intent

- It shall be the purpose of this article to promote the aesthetics, safety, health, morals, property values, and general welfare and the assurance of protection of adequate light and air within the Town by regulations of the posting, displaying, erection, use and maintenance of signs.



# Certain Signs Exempt From Permitting

1. Official signs, government information
2. Reserved parking and fuel efficient vehicles
3. Temporary signs indicating danger
4. Election Signs
5. Real Estate Signs
6. Interior signs
7. Flags
8. Seasonal Decorations



# Interpretation

- In all applications for permits where a matter of interpretation arises, the most rigid definition shall prevail.



# Rules

- Size
  - Location
  - Material
  - Construction
  - Proximity to Surroundings
- 
- You need to picture what the Town would look like if everyone had the maximum signage available
  - Its about fairness



# Why?



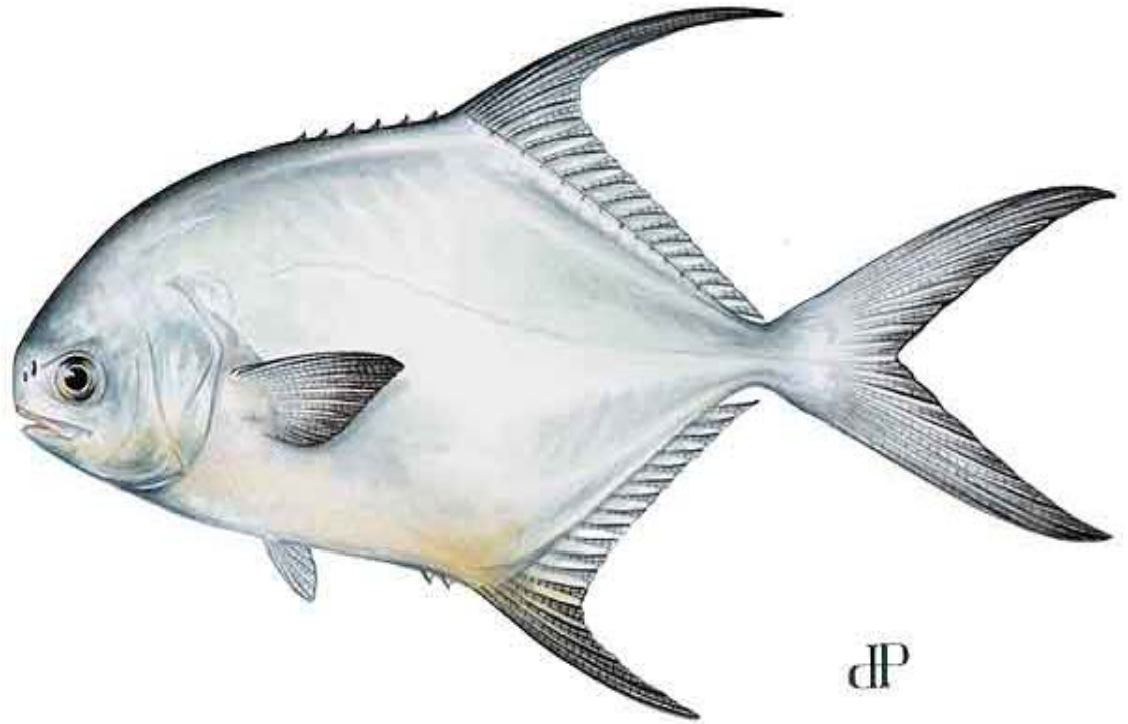
# Why?





# Permitted Signs

- Permanent
- Temporary
- Flag
- Window
- Directional
- Hanging
- Election
- Special Event and Banners
- Automatic Changing



# Permanent

- Monument
- Building Mounted
- Wall
- Directory
- Directional
- Permanent Real Estate
- ATM
- Window
- Hanging
- Automatic Changing Signs



# Permanent

## Monument Signs



# Permanent

Wall Sign / Building Mounted  
Parallel to the face of the wall



# Permanent

## Directory

Interior to property listing only names, uses or locations of businesses



# Permanent

## Directional Signs





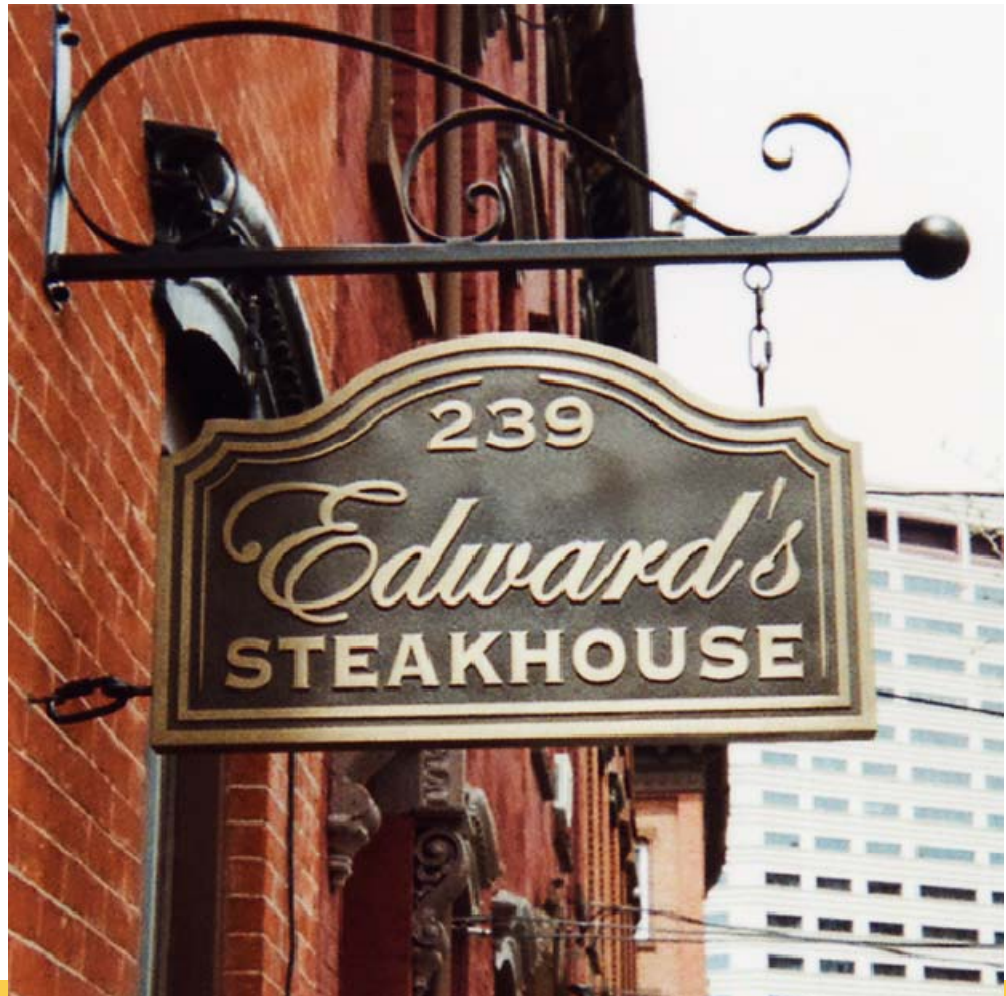
# Permanent

## Window Signs

Located inside of a window, not to exceed 20% of glass area



## Hanging Signs



# Temporary Signs

## Banners

- 1 per tenant
- 16 Sq Ft
- 12'
- 30 days, 4 times / year
- Removed 3 days after event





# Temporary Signs

## Political

- 1 per property
- 22" x 28"
- 4' high
- 90 days Prior / 3 Days After
- Not in R.O.W.



## Gas Stations



# Prohibited Signs

## Type

Fixed Projecting

Animated or flashing signs;

Snipe

Inflatable

Visible Light Source

Externally Illuminated

Painted

Obsolete

Changeable copy (other than gas station price signs)

Banners in residential property

Confusing (with public safety or directional)

Sound, Noise, Matter  
(smoke or vapor)

Pole Portable or Unattached

Neon (LED)

Off premises

V-shape point of sale



# Prohibited Signs

## Location

- Roof signs

- Signs that extend above the roof

- Signs that obstruct view of public safety, traffic control or directional signs

- Vehicle signs

- Fence or tree signs

- On lots without a principal use



# Prohibited Signs

Roof signs

Attached to the roof





# Prohibited Signs

## Billboards and Off-Premises signs

- shall mean a commercial sign advertising an establishment, activity, product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which the sign is located.



# Prohibited Signs

## Animated or flashing signs

- Uses movement, change of lighting, or change of color...
- Visible from Public ROW changing more frequently than 6 sec.



# Prohibited Signs

## Changeable Copy

- Within a monument, so that letters and numbers are manually attached or automated to change.





# Prohibited

## Inflatable



# Prohibited Signs

## Painted signs

- shall mean a sign painted directly onto the surface of a wall, fence, or building structure.



# Prohibited Signs

## Vehicle advertising signs



# Prohibited Signs

## Hazardous signs

- Hazardous sign shall mean a sign that approximates or obscures a traffic or directional sign and is not placed for a legitimate public safety reason, or which may include words such as, "Stop," "Danger," "Caution," "Look," or similar words.



# Prohibited Signs

## Snipe Signs

- Shall mean a sign of any material attached to any object which is a non-approved support such as trees, poles, stakes, traffic control structures and fences



# Prohibited Signs

## Animated Signs

- Signs that use movement





# Prohibited Signs

Illuminated Signs (with exposed light bulbs or neon bulbs)

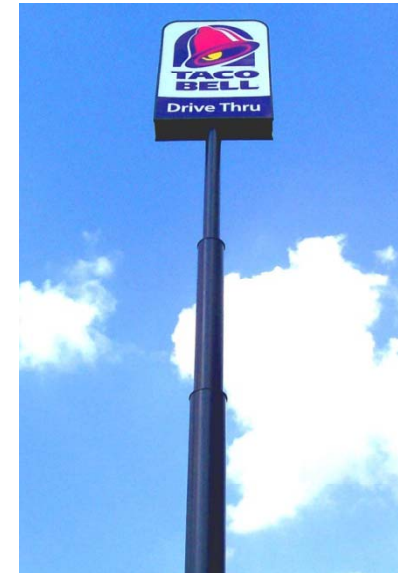
- a sign which is lit by internal or external lights or includes a light-reflective surface.



# Prohibited Signs

## Pole signs

- Pole sign shall mean a sign erected upon a pole or poles and which is wholly independent of any building for support.





# Prohibited Signs

## Painted Signs



# Prohibited Signs

## V-shaped signs

- Any sign which has two faces that are not parallel.



# Prohibited Signs

Any other type or kind of sign which does not comply with the term, conditions, provisions and intent contained in these regulations and ordinances amendatory thereof and supplemental thereto;



## Article 9 Transportation Requirements

- Governs a New Development
- Roads Are to be in a Connected Grid, with Sidewalks, and Bike Lanes
- Lists General Principles
  - Curb Radii
  - Shoulders
  - Street Materials
  - Planting Strips

# Article 10 Off Street Parking

- Applies to Public Parking and Loading Areas
- General Principles
  - Minimize Breaks in Pedestrian Environment
  - No Parking Permitted in Front of Building Facade
  - No Backing Out into ROW
  - Spaces = 9' x 18'

# Article 11 Supplemental Standards

## Some of Our Greatest Hits

- Exclusion From Height (chimneys, towers, etc.)
- Exterior Lighting Standards
- Boat Storage
- Sales Within ROW
- Property Maintenance
- Temporary Use
- Outdoor Sales, Trees, Pumpkins, Fireworks
- Sheds
- Structures Limited in Yards

# Article 11 Supplemental Standards

## Parking of Trucks

Category 1: Max 2 Vehicles Allowed

Category 2: Max 1 Vehicle Allowed  
(enclosed in garage or behind front of house)

Category 3: Not Allowed

# Article 11 Supplemental Standards

## Parking of Trucks

Category 1: Max 2 Vehicles Allowed





# Article 11 Supplemental Standards

## Parking of Trucks

### Category 2: Max 1 Vehicle Allowed

- Enclosed in garage or behind front of house
- Difference between 1 and 2 is the attachment
- If no sign, a pickup truck tool box is ok (no work)



# Article 11 Supplemental Standards

## Parking of Trucks

### Category 2: Max 1 Vehicle Allowed

- Enclosed in garage or behind front of house
- Difference between 1 and 2 is the attachment
- If no sign, a pickup truck tool box is ok (no work)



# Article 11 Supplemental Standards

## Parking of Trucks

### Category 3: Not Allowed

tow trucks, dump trucks, construction vehicles Exceeding 20' long or 8' high,



# Article 11 Supplemental Standards

## Special Events

Any use of a public facility which could limit public access

In Residential areas it

- Tries to limit regular (4 times per month)
- large events (more than 7 guest cars)

# Article 12 Subdivision of Land

- Plating (Land Survey Procedures)
- Waiver of Plat
- Procedures / Process
  - Tentative Plat
  - Final Plat

# Article 13 Conditional Uses

- Certain Sensitive Uses Are OK Provided They Are Evaluated
  - Amusement Parks
  - Auto Sales, Service
  - Bars
  - Child Care
  - Outdoor Dining
  - Parking Structures
  - Certain Retail
  - Pain Management

## Article 14 Wireless Telecom Facilities

- Guidelines for Siting
- Application Requirements
- Application for Collocations
- Development, Zoning, Building and Inspection Requirements
- Antennas Standards



# Article 15 Concurrency

- Growth Management
- Assuring Public Facilities Exist to Support Development
- De minimis
  - 1 Single or 1 Two-Family Home

# Article 15 Concurrency

- Concurrency Management System  
(Criteria and Process of Measurement)
- Guided By Florida Statutes
  - Sanitary Sewer (100gp/d)
  - Solid Waste (County Standard)
  - Drainage (10 Yr Storm)
  - Potable Water (500 – 3000 gpm)
  - Recreation and Open Space (3ac/1000 residents)
  - Transportation (LOS D / E)
  - Education (100% of FISH)

- A-Z



# SETBACKS

## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Planned to be more of central gathering place than a corridor primarily servicing pass by traffic.



## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Permitted Uses
    - Commercial and Retail (not exceeding 25,000)
    - Office (less than 50 pkg spaces)
    - Restaurant
    - Multi-Family (w/in horizontal mixed use development)
    - Townhome
    - Medical
    - Civic
    - Park and Open Space
    - Place of Public Assembly

## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Prohibited Uses
    - Repair Garage
    - Service Station
    - Vehicle Service Center
    - Entertainment Center
    - Kennel
    - Manufacturing
    - Outdoor Storage
    - Self Storage
    - Auto/Truck Equipment Sale/Rental
    - Funeral Home

## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Conditional Uses
    - Conservatory
    - Educational Facility
    - Office
    - Commercial / Retail
    - Outdoor Dining
    - Veterinarian Office
    - Neighborhood Convenience Store
    - Bar
    - Drive Thru

## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Site Development Standards
    - At least 2 stories
    - Vertical Mixed Use
    - Min Lot Area            NA
    - Max FAR                1.6
    - Max FAR w/ Green Bonus        2.0
    - Max Density            13 du/acre
    - Max Density w/.Green Bonus    3du/acre
    - Max Height            35' (3 stories)
    - Max Height (Green) 48' 4 stories)
    - Adjoining Residential Zoning    35' (3 stories)

## Article 4 Districts and Development Standards

- NC – Neighborhood Center District
  - Site Development Standards
    - Setbacks
      - Front (max) 20'
      - Side St 15'
      - Interior Side 0'
      - Rear 20'
      - Rear (alley) 0'
    - Max Impervious Area 70%
    - Min Lot Width 25'
    - Min Lot Depth NA
    - Open Space 5%
    - Encroachment to ROW (balcony/awning) 5'
    - Accessory Structure height 6'

We are moving from a Minimum Setback  
To  
a Maximum Setback

And

Suggesting Parking Behind the Buildings



# The Essence

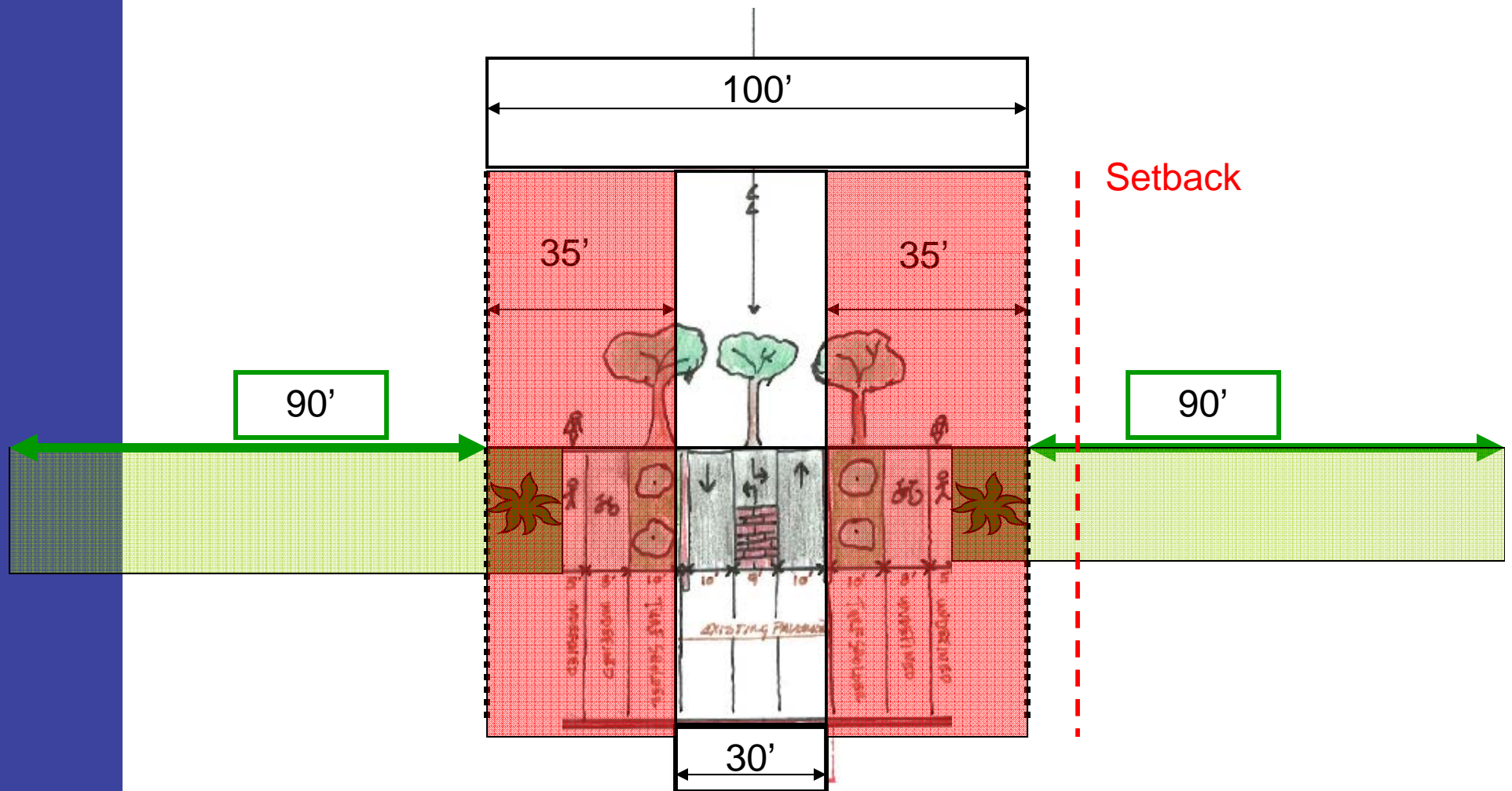
Current Setback from Minimum of 20' to a future maximum of 20'



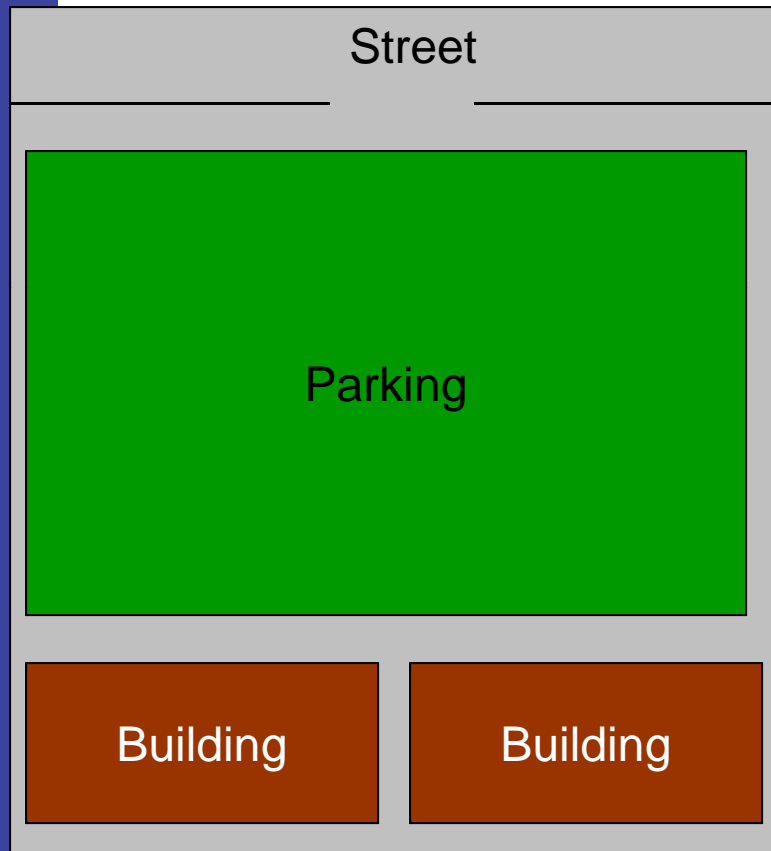
# The Essence

- This is the essence of the Charrette, which in all cases asks to place the buildings closer to the street with parking behind
- The Charrette does not forbid setbacks, it simply minimizes them
- It is the essence of the Charrette, as a response to suburban strip development. The concepts are mutually exclusive

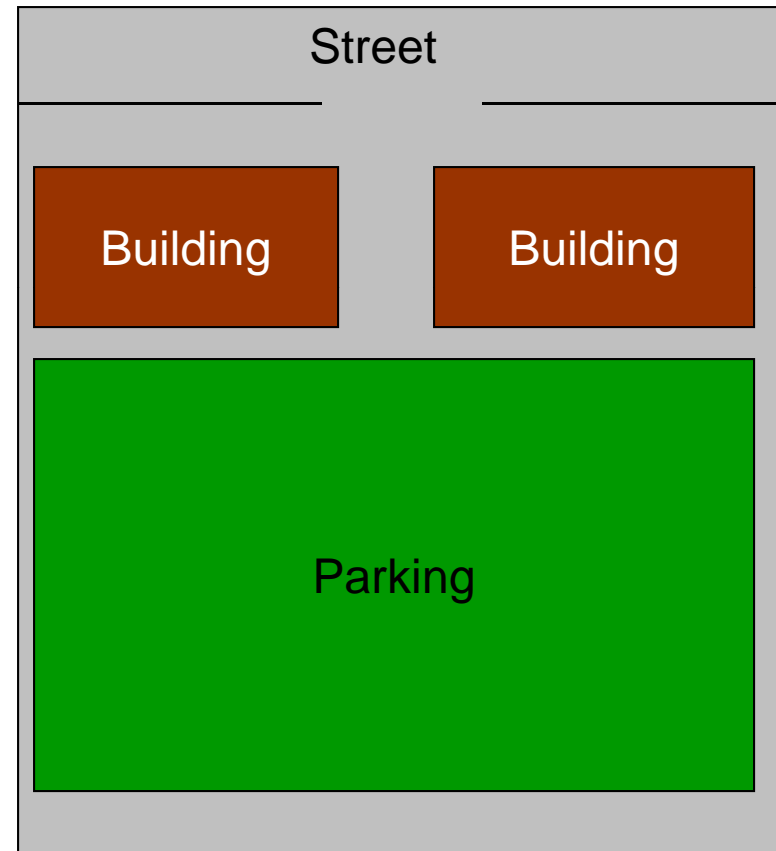
# ROW adjacent to Roadway



# The Difference



**Today**



**Planned**



# What Could Happen With Current Setbacks





# What Could Happen With Planned Setbacks

